

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

ED ROSE, §
§
Plaintiff, § CIVIL ACTION NO. 6:18-CV-00355-TH
§
v. §
§
STACEY BELCHER, BELINDA §
MEHARI, NANCY DAVENPORT, §
MATTIE LOCKE, FNU SCHRIEBER, §
SHENESHA CARTER, §

Defendants.

**ORDER ADOPTING REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**

Plaintiff Ed Rose initiated this civil action on July 19, 2018. The case was referred to United States Magistrate Judge John D. Love, who issued a Report and Recommendation recommending that the case be dismissed without prejudice for failure to obey a court order and failure to prosecute. (Docket No. 8.) On October 25, 2018 Plaintiff received a copy of the Magistrate Judge's Report and Recommendation. Docket No. 9. Plaintiff later also filed a letter with the Court acknowledging personal receipt of such. Docket No. 10. The Report and Recommendation informed Plaintiff of his rights to object to the Report and Recommendation within 14 days, and further informed him that a failure to timely object shall bar "that party from *de novo* review by the district judge of those findings, conclusions and recommendations and, except on grounds of plain error, from appellate review of unobjected-to factual findings and legal conclusions accepted and adopted by the district court." Docket No. 8 at 3(citing *Douglass v. United States Auto. Ass'n*, 79 F.3d 1415, 1430 (5th Cir. 1996)). Since the service of the

Report and Recommendation on October 25, 2018, Plaintiff has not filed objections and the prescribed time period for doing so has passed.

Having reviewed the findings and conclusions of the Magistrate Judge, the Court agrees with the Magistrate Judge. Therefore, the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the Court. It is accordingly **ORDERED** that the complaint is hereby **DISMISSED WITHOUT PREJUDICE**.

SIGNED this the 31 day of January, 2019.



Thad Heartfield
United States District Judge